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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,960	01/02/2001	Frank Leymann	DE9-1999-0088	9953

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EXAMINER

TRUONG, CAMQUY

ART UNIT	PAPER NUMBER
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2127

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/752,960	Applicant(s) LEYMANN ET AL. AJ	
	Examiner Camquy Truong	Art Unit 2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-9 are presented for examination.
2. It is noted that although the present application does contain line numbers in the specification and claims, the line numbers in the claims do not correspond to the preferred format. The preferred format is to number each line of every claim, with each claim beginning with line 1. For ease of reference by both the examiner and Applicant all future correspondence should include the recommended line numbering.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Du et al (U.S. Patent 5,826,239).
5. As to claim 1, Du teaches the invention substantially as claimed including: a computerized method of managing workload within a Workflow-Management-System (WFMS) said method being executable by said WFMS on at least one computer system (col. 4, lines 41-43; col. 6, lines 55-60),

Said WFMS comprising a process-model (HP OpenPM Process Model, col. 8, line 10), said process-model comprising one or more activities being the nodes of an arbitrary graph, and directed edges of said graph defining a potential control-flow within said process-model (col. 8, lines 15-18), and

Said method comprising a determination-step, wherein said process-model is analyzed if a priority-execution-specification is assigned to said one activity comprising at least one Boolean-predicate and a priority-level (col. 8, lines 40-43; col. 19, lines 60-64), and,

A launching-step said launching-step evaluating said Boolean-predicate using a value not comprised in said process-model but said variable-value being comprised in a context of an instance of said process-model (col.9, lines 36-44), and,

If said Boolean-predicate evaluates to TRUE, said launching-step launches execution of said one activity in said activity's execution-environment with an execution-priority specified according to said priority-level (col. 19, lines 60-64).

6. Du does not explicitly teach that Boolean-predicate using a variable value. However, Du teaches the Boolean expression of values, such as the execution status of previous nodes (col. 19, line 61). It would have been obvious to one of ordinary skill in the art at the time the invention was made that in fact Du's Boolean expression using execution status of the nodes would varied depend on

the execution outcome. Therefore, the Boolean expression used by Du's system is a Variable value.

7. As to claim 2, Du teaches Boolean-predicate is evaluated just before launching execution of said one activity to base said evaluation on the most current context (col. 9, lines 42-44).

8. As to claim 3, Du teaches:

Context comprises a data storage shared between activities, and/or wherein said context comprises an global container of said instance of said process-model, and/or wherein said context comprises an input-container of said one activity, and/or wherein said context comprises an output-container of a certain activity (col.6, lines 30-35).

9. As to claim 6, Du teaches if said priority-execution-specification is specified with said process-model, said method is assigning said priority-execution-specification to all activities comprised by said process-model (col. 8, lines 40-43), and/or

If said priority-execution-specification is specified with a performance-sphere, said performance-sphere comprising a sub-graph of said process-model, said method assigning said process-execution-specification to all activities within said performance-sphere (col. 8, lines 40-43), and/or

If said priority-execution-specification is specified with said one activity, said method assigning said process-execution-specification to said one activity (col. 8, lines 40-43).

10. As to claims 7-9, they are rejected for the same reason as claim 1.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Du et al (U.S. Patent 5,826,239), as applied to claim 1 above, in view of Yoshida et al (U. S. Patent 6,130,757).

13. As to claim 4, Du teaches:

if an instance of said process-model has not been instantiated yet, said WFMS-client is evaluating said Boolean-predicate (col. 9, lines 42-44; col.19, lines 60-62); and

WFMS-server being responsive to said message-priority by instantiating said process-model and launching execution of said instance of said process-model according to said priority-level (col. 9, lines 36-44).

14. Du does not explicitly teach that the WFMS-client is sending a START message via a communication-system to said WFMS-server setting said message to a message-priority corresponding to said priority-level, and communication-system being responsive to said message-priority by handling its delivery according to said priority-level. However, Yoshida teaches the WFMS-client is sending a START message via a communication-system to said WFMS-server setting said message to a message-priority corresponding to said priority-level, and communication-system being responsive to said message-priority by handling its delivery according to said priority-level (col. 2, line 67-col.3, line 5).

15. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Du and Yoshida because Yoshida's WFMS-client for sending a START message via a communication-system to said WFMS-server would improve the integrity of Du's system by allowing the jobs to be executed based on the priorities and optimizing the processes by improving the interrupt handling process.

16 As to claim 5, Du teaches if said Boolean-predicate evaluates to TRUE, said WFMS sets its own execution-priority for the WFMS-internal processing relating to said one activity with respect to the WFMS's execution-environment to the execution-priority specified according to said priority-level (col. 8, lines 40-43), and/or

Yoshidat teaches one or more messages for communication within said WFMS and/or between different WFMS and/or with said activity via a communication-system said message relating to the processing of said activity are set to the execution-priority specified according to said priority-level (col. 2, line 67-col.3, line 10).

Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Camquy Truong whose telephone number is (571) 272-3773. The examiner can normally be reached on 8AM – 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3756.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

Camquy Truong

January 5, 2005


NG-AL T. AN
PATENT EXAMINER
EBC CENTER 2100